

Exhibit E

Jared Goodman

From: Martina Bernstein
Sent: Friday, July 20, 2018 3:06 PM
To: 'Kristen Bonn'
Cc: Brian Klar; Dan Batten; Jared Goodman; 'jmartin@polsinelli.com'; Martina Bernstein
Subject: PETA v. MPF - discovery will proceed as scheduled

Importance: High

Mr. Klar:

We will be providing a more fulsome response to your email below after conferring with our client. However, we respond immediately to make crystal clear that we expect Defendant Casey to fully comply with her outstanding discovery obligations, including complying with the inspection demand, that was validly served pursuant to Rule 34 more than one month ago to take place on a date that your co-counsel Mr. Batten provided. Defendant Casey has not moved for a protective order to quash the inspection, nor would there be any valid basis for doing so, and we intend to proceed as previously agreed upon. We are hereby putting you and your client on notice that we will seek all available relief, including costs, if Defendant Casey refuses to proceed with the inspection next week. We consider the attempted cancellation improper and of no effect.

We also note that there was no effort made to even confer, as required by the applicable rules of the court, which compounds this latest attempt to obstruct discovery.

Martina Bernstein
Senior Litigation Counsel

PETA Foundation
1536 16th Street NW
Washington DC, 20036
T: 626.376.3744
F: 202.540.2208

From: Kristen Bonn [mailto:secretary@lawsaintlouis.com]
Sent: Friday, July 20, 2018 2:17 PM
To: Jared Goodman ; Martina Bernstein
Cc: Brian Klar ; Dan Batten
Subject: Casey v. PETA

FOR SETTLEMENT PURPOSES ONLY

Counselors,

As you know, Ms. Casey does not have the funds to continue defending against PETA's claims in this case. This includes continuing to pay for our representation. We have therefore been instructed by our client to conduct no other work on this case besides potentially settling this matter, including any discovery. If we cannot settle this matter, Ms. Casey is likely going to be representing herself for the remainder of the case.

In light of this, we are canceling the upcoming inspection so that we can focus on settling this matter.

[REDACTED]

[REDACTED]

[REDACTED]

Very Truly Yours,

Brian D. Klar

Attorney at Law

Klar, Izsak & Stenger, LLC

1505 S. Big Bend Blvd.

St. Louis, MO 63117

PH: 314-863-1117, Ext. 102

FX: 314-863-1118

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Jared Goodman

From: Martina Bernstein
Sent: Saturday, July 21, 2018 11:15 AM
To: 'Brian Klar'
Cc: Dan Batten; Jared Goodman; jmartin@polsinelli.com; Martina Bernstein
Subject: RE: PETA v. MPF - discovery will proceed as scheduled

Brian:

Even if Defendant Casey had moved for a protective order to stay discovery (and she has not, nor has any attempt been made by her counsel to comply with Local Rule 37-3.04), your personal subjective assessment that time and money spent on discovery is “unnecessar[y]” falls far short of demonstrating good cause. As far as I know there is no “pending settlement” for Plaintiff to “back out of,” and your presumption to the contrary is spurious. We will not let your client put an offer on the table—no matter how insufficient—as cover for her continuing discovery obstruction.

It should go without saying that changing the inspection date will not only incur significant costs and burdens for the Plaintiffs and their experts (which your client has tellingly not offered to pay), it also unfairly prejudices the Plaintiffs’ and their experts’ ability to gather, prepare, and present evidence by the court ordered deadline for Plaintiffs’ expert disclosures. Additionally, as you are aware, Casey already delayed the resolution of this case once, over the strong objection of the Plaintiffs. As we explained then, and reiterate now: whenever the mistreatment of animals is at issue in a case, delaying relief causes irreparable harm because the animals continue to suffer. Your cavalier suggestion that there is no prejudice does not withstand even the mildest scrutiny.

Martina Bernstein
Senior Litigation Counsel

PETA Foundation
1536 16th Street NW
Washington DC, 20036
T: 626.376.3744
F: 202.540.2208

From: Brian Klar [mailto:bkclar@lawsaintlouis.com]
Sent: Friday, July 20, 2018 4:25 PM
To: Martina Bernstein
Subject: Re: PETA v. MPF - discovery will proceed as scheduled

I am literate, but thank you. We consider this matter to be at a point of clear resolution. No need for money and time to be expended unnecessarily. There is no imminent trial date. A 30 day delay in the inspection (in the event you choose to back out of our pending settlement) will in no way prejudice your client. Moving forward with that inspection next week severely prejudices my client

Thanks.

Brian.

Sent from my iPhone

On Jul 20, 2018, at 6:10 PM, Martina Bernstein <MartinaB@petaf.org> wrote:

Brian:

Please see my “re” line below, highlighted for your convenience.

Thank you.

Martina Bernstein
Senior Litigation Counsel

PETA Foundation
1536 16th Street NW
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From: Brian Klar [<mailto:bkclar@lawsaintlouis.com>]
Sent: Friday, July 20, 2018 4:06 PM
To: Martina Bernstein <MartinaB@petaf.org>
Cc: Kristen Bonn <secretary@lawsaintlouis.com>; Dan Batten <dbatten@lawsaintlouis.com>; Jared Goodman <JaredG@PetaF.org>; jmartin@polsinelli.com
Subject: Re: PETA v. MPF - discovery will proceed **as scheduled**

No obstruction intended. We will gladly reschedule.

Sent from my iPhone

On Jul 20, 2018, at 5:05 PM, Martina Bernstein <MartinaB@petaf.org> wrote:

Mr. Klar:

We will be providing a more fulsome response to your email below after conferring with our client. However, we respond immediately to make crystal clear that we expect Defendant Casey to fully comply with her outstanding discovery obligations, including complying with the inspection demand, that was validly served pursuant to Rule 34 more than one month ago to take place on a date that your co-counsel Mr. Batten provided. Defendant Casey has not moved for a protective order to quash the inspection, nor would there be any valid basis for doing so, and we intend to proceed as previously agreed upon. We are hereby putting you and your client on notice that we will seek all available relief, including costs, if Defendant Casey refuses to proceed with the inspection next week. We consider the attempted cancellation improper and of no effect.

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From: Kristen Bonn [<mailto:secretary@lawsaintlouis.com>]
Sent: Friday, July 20, 2018 2:17 PM
To: Jared Goodman <JaredG@PetaF.org>; Martina Bernstein <MartinaB@petaf.org>
Cc: Brian Klar <bklar@lawsaintlouis.com>; Dan Batten <dbatten@lawsaintlouis.com>
Subject: Casey v. PETA

FOR SETTLEMENT PURPOSES ONLY

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[REDACTED]

[REDACTED]

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Very Truly Yours,

Brian D. Klar
Attorney at Law
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